

REMARKS

Claims 1, 3-4, 10, 12, 16, 18, 22, 24 and 28 are pending in this application. Claims 2, 5-9, 11, 13-15, 17, 19-21, 23, 25-27 and 29 are withdrawn from consideration. By this Amendment, claims 1, 12, 18 and 24 are amended. Reconsideration of the application is respectfully requested.

The courtesies extended to Applicants' representative by Examiner Sikyin at the personal interview held on July 7, 2004, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

In response to the Restriction Requirement, Applicant hereby confirms a provisional election of Group I, claims 1, 3, 4, 10, 12, 16, 18, 22, 24 and 28 with traverse.

It is also respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

The Office Action rejects claims 1, 3-4, 10, 12, 16, 18, 22, 24 and 28 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over co-pending Application No. 09/984,039.

Co-pending Application No. 09/984,039 has not issued or been allowed as of the filing of this paper. Thus, the filing of a Terminal Disclaimer under 37 C.F.R. §1.321 to obviate the provisional double-patenting rejection is premature. Accordingly, withdrawal of the provisional double-patenting rejection is respectfully requested. Furthermore, the co-pending application does not claim an electrical conductivity of 13.2% IACS or more, as recited in claims 1 and 12.

The Office Action rejects claims 1, 3-4, 10, 12 and 16 under 35 U.S.C. §102(b)/ 35 U.S.C. §103(a) over Ikushima et al. (U.S. Patent No. 4,599,119); claims 18 and 24 under 35 U.S.C. §103(a) over Ikushima in view of Van Vlack ("Elements of Materials Science and Engineering"); and claims 22 and 28 under 35 U.S.C. §103(a) over Ikushima in view of Van Vlack and further in view of Ordillas (U.S. Patent No. 6,585,833). Applicants respectfully traverse these rejections.

In particular, Ikushima does not disclose or suggest a high strength titanium copper alloy, including at least an electrical conductivity of 13.2% IACS or more, as recited in independent claims 1 and 12.

Furthermore, neither Ikushima nor Van Vlack, either alone or in combination, disclose, suggest or render obvious a high strength titanium copper alloy obtained by cold rolling at reduction ratio of 95% or more, as recited in independent claims 18 and 24.

Ikushima discloses an age-hardening copper alloy containing 2-6% by weight of titanium and composed of a substance of a substantially fully solution heat-treated structure having an average crystal grain size not exceeding 25 μm (Abstract). However, Ikushima does not disclose or suggest the electrical conductivity of the disclosed copper titanium alloy. As such, Ikushima does not disclose or suggest that the copper titanium alloy has a electrical conductivity of 13.2% IACS or more or of 10% IACS or more. Accordingly, Ikushima does not disclose or suggest each and every feature of the claimed invention. Accordingly, it is

respectfully requested that the rejection of claims 1, 3-4, 10, 12 and 16 under 35 U.S.C. §102(b)/ 35 U.S.C. §103(a) be withdrawn.

Ikushima also does not disclose or suggest a process of cold rolling the alloy at a reduction ratio of 95% or more, and accordingly does not result in a high electrical conductivity and high hardness.

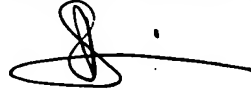
Although, the Office Action indicate that Van Vlack discloses tensile strength and hardness of a copper alloy (Office Action, page 6, lines 18-19), Van Vlack fails to cure deficiencies in Ikushima because it does not disclose or suggest cold rolling the alloy at a reduction ratio of 95% or more. Because any combination of Ikushima and Van Vlack would not have resulted in the titanium copper alloy recited in the claim, it would not have been obvious to combine the applied references to arrive at the claimed invention. Thus, it is respectfully requested that the rejection of claims 18 and 24 under 35 U.S.C. §103(a) be withdrawn.

Ordillas discloses an electrical connector made from a beryllium-copper alloy crimped at room temperature without localized annealing of the crimp section first (Abstract). However, Ordillas fails to cure deficiencies in Ikushima and Van Vlack. Thus, it is respectfully requested that the rejection of claims 20, 22 and 28 under 35 U.S.C. §103(a) be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-4, 10, 12, 16, 18, 22, 24 and 28 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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